

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY (NEWARK)	
RAS Citron, LLC 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone Number 973-575-0707 Attorneys For Secured Creditor Laura Egerman, Esq. (NJ-LE-8250)	CASE NO.: 18-34585-JKS CHAPTER 13
In Re: Cristobal Collado, Debtor.	

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

CSMC 2018-RPL1 TRUST ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 10), and states as follows:

1. Debtor, Cristobal Collado, ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on December 14, 2018.
2. Secured Creditor holds a security interest in the Debtor's real property located at 35 E. 17TH ST, PATERSON, NJ 07524, by virtue of a Mortgage recorded on October 19, 2007 in Book M9399, at Page 90 of the Public Records of Passaic County, NJ. Said Mortgage secures a Note in the amount of \$360,000.00.
3. The Debtor filed a Chapter 13 Plan on December 30, 2018.
4. The Plan includes payments toward the Note and Mortgage with Secured Creditor, however the figures used by the Debtor are inaccurate. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$4,798.54, whereas the Plan proposes to pay only \$0.00. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$4,798.54 as the pre-petition arrearage over the life of the plan.

5. Based on Debtor's Schedules, the Plan does not appear feasible due to the representation that sufficient disposable income is not available to support the proposed Plan payments. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(6) and cannot be confirmed.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

RAS Citron, LLC
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Fairfield, NJ 07004
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By: /s/Laura Egerman
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CERTIFICATION OF SERVICE

1. I, Laura Egerman, represent CSMC 2018-RPL1 TRUST in this matter.
2. On 2/1/2019, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

2/1/2019

RAS Citron, LLC
Attorney for Secured Creditor
130 Clinton Road, Suite 202
Fairfield, NJ 07004
Telephone Number 973-575-0707

By: /s/Laura Egerman
Laura Egerman, Esquire
NJ Bar Number NJ-LE-8250
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<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Stuart D. Gavzy, Esq. 8171 E. Del Barquero Dr. Scottsdale, AZ 85258	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)
Cristobal Collado 20 East Maple Street Teaneck, NJ 07666	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)
U.S. Trustee US Dept of Justice One Newark Center Ste 2100 Office of the US Trustee Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)